

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TAHRIR SHAKIR KALASHO,

No. 06-11030

Plaintiff,

v.

District Judge Nancy G. Edmunds
Magistrate Judge R. Steven Whalen

REPUBLIC OF IRAQ,

Defendant.

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ORDER DENYING DEFENDANT’S MOTION TO STRIKE

Before the Court is Defendant’s Motion to Strike Plaintiff’s Surreply [Docket #84]. At issue is Plaintiff’s self-styled “Additional Clarification to Defendant’s Reply” [Docket #83]. Defendant is correct that the Plaintiff’s pleading is in effect a surreply regarding the pending motion to dismiss, and that such pleadings are not authorized by the court rules without leave of the court.

The Plaintiff’s surreply addresses a statute of limitations issue raised by Defendant. While Plaintiff ought to have addressed this issue in his original response, I will grant him some latitude, in recognition of the fact that he is now proceeding *pro se*, and the statute of limitations issue may be dispositive of his claims. Defendant’s motion to strike [Docket #84] is therefore DENIED.

However, Defendant may, within seven days of the date of this order, file a supplemental pleading, limited to five pages, addressing the arguments made in Plaintiff’s

surreply. NO ADDITIONAL PLEADINGS WILL BE FILED REGARDING THE
PENDING MOTION TO DISMISS [Docket #78].

IT IS SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: August 3, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys
and/or parties of record by electronic means or U.S. Mail on August 3, 2010.

S/G. Wilson
Judicial Assistant